

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

STACY LYNN PHILLIPS

Debtor

Chapter 13

Case No. 21-10085-KHK

OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed January 21, 2021. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(a)(6) - Feasibility.

- Plan is predicated on successful lien strip based on highly speculative (service of process) grounds.
- Debtor has not made her first Plan payment that was due on February 20, 2021.

Violation of 11 U.S.C. §1325(a)(4) - Liquidation Test.

- Property would appear to have more net equity than Plan proposed to pay.

Violation of 11 U.S.C. §1325(a)(6) - Feasibility.

- Objection filed to preserve the rights of the Chapter 13 Trustee. The Section 341 Meeting of Creditors has been adjourned from February 23, 2021 to March 9, 2021 at 11:30 A.M.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Notice of Objection To Confirmation

Stacy Lynn Phillips, Case # 21-10085-KHK

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on March 25, 2021 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314.¹ If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

¹ Pursuant to the Bankruptcy Court's Protocol in response to COVID-19 Public Health Emergency, parties appearing for hearings shall appear via Zoom for Government and must pre-register and follow the procedures set forth at https://www.vaeb.uscourts.gov/wordpress/?page_id=9098.

Notice of Objection To Confirmation

Stacy Lynn Phillips, Case # 21-10085-KHK

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: February 26, 2021_____

_____/s/Thomas P. Gorman_____
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 26th day of February, 2021, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Stacy Lynn Phillips
Chapter 13 Debtor
5267 Quebec Place
Woodbridge, VA 22193

Martin C. Conway
Attorney for Debtor
Conway Law Group, PC
12934 Harbor Drive, Suite 107
Woodbridge, VA 22192

_____/s/ Thomas P. Gorman_____
Thomas P. Gorman